

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Theresa Wamala and
Lwiza Wamala

v.

Civil No. 09-cv-304-JD

City of Nashua, et al.

O R D E R

Theresa and Lwiza Wamala, who are proceeding pro se and in forma pauperis, brought a civil rights action against the City of Nashua, the mayor, the police department, the police chief, and several police officers.¹ The City of Nashua asserts that the Nashua Police Department is not a legal entity that is distinct from the city and moves to exclude the police department from the named defendants and to conform the caption in the case accordingly. The Wamalas object to Nashua's motion.

Based on Nashua's representation that its police department is not a separate legal entity that is distinct from the city, the police department, as named in the complaint, will be deemed to be the city for all purposes in this case. With that understanding, there is no need to change the caption to reflect the status of the police department.

¹Their individual cases have been consolidated.

Conclusion

For the foregoing reasons, the defendants' motion to substitute (document no. 14) is granted to the extent allowed in this order. The caption of the case will not be changed.

SO ORDERED.


Joseph A. DiClerico, Jr.
United States District Judge

November 17, 2009

cc: Brian J.S. Cullen, Esquire
Lwiza Wamala, pro se
Theresa Wamala, pro se